

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: OFFICE OF CONSUMER ADVOCATE, Complainant, vs. MERCURY INTERNET AND WIRELESS SERVICE AND I4MATION, INC., Respondents.	DOCKET NOS. FCU-03-44 FCU-03-57 FCU-03-58 FCU-03-59
---	--

**ORDER APPROVING SETTLEMENT AGREEMENTS AND
ASSESSING CIVIL PENALTIES**

(Issued June 2, 2004)

On May 28, 2004, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) and Mercury Internet and Wireless Service, including its parent, subsidiary and affiliated companies (Mercury), filed two settlement agreements and joint motions for approval of the settlement agreements in Docket Nos. FCU-03-44 and FCU-03-59. Also on May 28, 2004, the Consumer Advocate and I4Mation, Inc., including its parent, subsidiary and affiliated companies (I4Mation), filed two settlement agreements and joint motions for approval of the settlement agreements in Docket Nos. FCU-03-57 and FCU-03-58. No one filed an objection to any of the settlement agreements.

The settlement agreements each provide, among other things, that Mercury or I4Mation will pay a civil monetary penalty of \$500 due 30 days after entry of a Board order approving the agreement.

The settlement agreements are reasonable in light of the record, consistent with applicable law, in the public interest, and should be approved. 199 IAC 7.2(11).

IT IS THEREFORE ORDERED:

1. The joint motions for approval of the settlement agreements are granted and the settlement agreements filed by the parties on May 28, 2004, are approved.

2. Pursuant to Iowa Code § 476.103 (2003) and the settlement agreements, Mercury is assessed two civil penalties in the amount of \$500 each, for a total of \$1,000. This amount is due in the office of the Executive Secretary of the Board within 30 days of the issuance of this order.

3. Pursuant to Iowa Code § 476.103 and the settlement agreements, I4Mation is assessed two civil penalties in the amount of \$500 each, for a total of \$1,000. This amount is due in the office of the Executive Secretary of the Board within 30 days of the issuance of this order.

UTILITIES BOARD

/s/ Amy L. Christensen
Amy L. Christensen
Administrative Law Judge

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 2nd day of June, 2004.